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UNDER ARTICLE 9 OF THE CONVENTION

Fifth periodic reports of States parties due in 1991

Addendum

VIET NAM*

[15 April 1993]

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* This document constitutes the second, third, fourth and fifth periodic reports which were due on 9 July 1985, 1987, 1989 and 1991 respectively. For the initial report submitted by the Government of Viet Nam and the summary records of meetings of the Committee at which that report was considered, see the following documents:

Initial report - CERD/C/101/Add.5 (CERD/C/SR.677-SR.678).

I. GENERAL

1. The Socialist Republic of Viet Nam adhered to the Convention on the Elimination of All Forms of Racial Discrimination on 9 June 1982. This second report on the implementation of the Convention has been prepared in accordance with the guidelines of the Committee on the Elimination of Racial Discrimination (CERD/C/70/Rev.2).

II. INFORMATION IN RELATION TO ARTICLES 1 TO 7 OF THE CONVENTION

Article 1

The country and national communities

2. Viet Nam covers a land area of 331,689 km^2 of which three fourths are hills and mountains. It has a long coastline. At present, it has a population of over 70 million. The annual rate of population growth is 2.13 per cent. Viet Nam is a 54-ethnic community nation of which the Kinh make up 88 per cent. The Kinh live mainly in the plain regions while the 53 others live mainly in the hill and mountain regions, the midlands and the border areas. Intertwining is the habitation pattern of the communities.

3. The ethnic minorities live mainly in the following regions (1991 figures):

(a) Viet Bac. The total population of this region amounts to about 4 million among whom the Tay account for 850,000, the Nung 500,000, the Zao 260,000 and the H'mong 170,000. They live mostly in five provinces, namely Ha Tuyen, Cao Bang, Lang Son, Bac Thai, Quang Ninh and the mountain regions of Ha Bac province;

(b) Tay Bac and the northern mountain regions of central Viet Nam. The population of this region is about 3.5 million of whom the Thai account for about 900,000, the Muong about 720,000, the H'mong 320,000 and the Zao 150,000. They live along the Viet Nam-China border and Viet Nam-Lao border in Hoang Lien Son, Lai Chau, Son La, Hoa Binh provinces and the western districts of Vinh Phu, Thanh Hoa and Nghe Tinh provinces;

(c) Tay Nguyen (Central Highlands). The ethnic minorities make up between 30 per cent and 40 per cent of Tay Nguyen's total population of 2,470,000. Most populous are the Gia-rai (about 230,000), the Ede (about 175,000) and the Bana (about 137,000).

4. The Khmer, whose population amounts to about 900,000, live mostly in Hau Giang (370,000), Cuu Long (310,000), Kien Giang (160,000) and Minh Hai (70,000) provinces in southern Viet Nam.

5. The Cham, whose population is about 90,000, live mostly in Thuan Hai province (64,480); the rest live in An Giang, Dong Nai, Tay Ninh provinces and Ho Chi Minh city. These areas belong to the central and southern regions.

6. The Hoa group, with nearly 1 million people, ranks fourth in population of the 54 communities.

7. Generally, the economies of the ethnic minorities are autarkic in nature and aimed mainly at food sufficiency while in high mountain areas, nomadic practice is still widespread.

8. The minorities have the right to use their own languages and are provided with conditions to foster them. They are also encouraged to learn and use the Kinh language - the national language of administration.

9. The major religions in Viet Nam are Buddhism and Catholicism. Other religions include Protestantism, the Hoa Hao, the Cao Dai and Islam.

Viet Nam's policy on the ethnic minorities

10. The approach: All ethnic minorities, regardless of their numbers, languages, cultures, histories and levels of development, have the right to development, making decisions on their own destinies; the interests of each must be respected and ensured. Viet Nam recognizes and implements on an equal footing fundamental freedoms and human rights in the civil, political, economic, social, cultural and other fields.

11. Proceeding from the above-mentioned approach, Viet Nam has been implementing a consistent policy against all forms and manifestations of racial discrimination whether they are in Viet Nam or anywhere else in the world. All ethnic communities can participate on an equal footing in decisions on the destiny of the nation and have equal rights and obligations in national construction and defence and in national socio-economic development. The policy is aimed at providing conditions for all ethnic communities to develop comprehensively, at eliminating gradually the discrepancies in the levels of economic and cultural development and at achieving equality, solidarity and progress on the basis of respect for the interests, traditions, cultures, languages and customs of all communities.

Vietnamese Law and international instruments on human rights that Viet Nam has adhered to

12. Over the past years, in effecting the policy of comprehensive reform, the Vietnamese State has amended many existing laws and enacted new legislations such as the Criminal Code (1985), the Criminal Procedure Code (1989), the Law on Citizenship (1988), the Law on Trade Union (1990), the Law on Land (1987), the Ordinance on Citizens Petition and Denunciation (1991), the Ordinance on Housing (1991), the Ordinance on Inheritance (1990), the Ordinance on Land and Housing (1991), the Ordinance on Labour Protection (1991), etc.

13. On 15 April 1992, the Vietnamese National Assembly passed the new Constitution which replaced the Constitutions of 1946, 1959 and 1980. At the same time, the National Assembly adopted the Law on Election of National Assembly Deputies and the Law on the Organization of the National Assembly. The Law on the Organization of People's Courts and the Law on the Organization of People's Procurates (in place of their 1981 predecessors) were promulgated on 6 October 1992.

14. The amendment and promulgation of the above-mentioned legislation enhance continued efforts to ameliorate legal instruments and more effectively ensure the exercise of economic, cultural, social, civil and political rights and other rights in line with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination and other international conventions on human rights to which Viet Nam is a party.

15. Apart from the International Convention on the Elimination of All Forms of Racial Discrimination, Viet Nam has adhered to the Convention on the Prevention and Punishment of the Crime of Genocide (9 June 1981), the International Convention on the Suppression and Punishment of the Crime of Apartheid (9 June 1981), the International Covenant on Economic, Social and Cultural Rights (24 September 1982) the Convention on the Elimination of All Forms of Discrimination against Women (17 February 1982), the Convention on the Rights of the Child (1 March 1990) and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (6 May 1983).

Article 2

Policies and measures

16. Article 5 of the Constitution stipulates that the Socialist Republic of Viet Nam is the State of united ethnic communities cohabiting in Viet Nam. The State applies a policy of equality, solidarity and mutual support among the ethnic communities and prohibits all acts of ethnic discrimination and division. The ethnic communities have the right to use their own languages and scripts, to preserve their ethnic identities and to nurture their own customs, traditions and cultures. The State implements policies of all-round development aimed at gradually improving the material and cultural conditions of life of ethnic minorities.

Socio-economic development plans for ethnic minorities

17. The above-mentioned provisions are translated into preferential policies and measures in effect for many years vis-à-vis the mountainous regions and ethnic minorities, notably Decision 72 of the Council of Ministers (13 March 1990) entitled "Some specific policies and measures on the socio-economic development of mountainous areas". By this decision the ethnic minorities can benefit from a preferential policy regarding finance, credit, wage and salary and socio-economic development measures mapped out in conformity with the conditions and circumstances of each locality and each ethnic community to develop their potential (art. 1). Article 20 of this Decision specifies the central task of development which is "to develop forestry, agriculture, fish farming, industry and infrastructure, to increase goods distribution and circulation, and to raise the levels of science and technology".

18. Over the past two years, in implementation of the said policies, the State has made initial investments in infrastructural projects in ethnic minority regions. In 1991, the Ministry of Finance increased its budgetary

grants to the mountainous areas which accounted for 53 per cent of the total national grants and allowed them preferences with regard to certain cases of tax exemption and reduction. The State Bank has readjusted its lending rates in favour of mountainous areas.

19. The Ministry of Communication, Transportation and Post has approved communication projects for 1992 in the mountainous areas accounting for 35.2 per cent of its total investment. Each mountainous province is to be equipped with a broadcasting station and a television station. In 1991, the Ministry of Culture, Information and Sports provided communication equipment to over 50 mountainous districts (video-cassette recorders, radio receivers, amplifiers, power generators). The Ministry of Education and Training plans to invest 94.4 billion Vietnamese dongs annually for education in the mountainous and ethnic minority areas.

20. Achievements have been made. However, there are major obstacles that remain to be overcome such as the absence of an all-round change in the direction of a commodity economy and the low living standards and the low level of economic production which are at the bottom of the minorities numerous difficulties. Nearly 2 million ethnic minority people either still lead a nomadic life or have resettled in some localities where their living and production conditions remain unstable.

21. The Chairman of the Council of Ministers has recently approved a programme of socio-economic development for the mountainous areas in the north called "Master plan for mountainous region development" from the present to the years 1995 and 2000. At present, the ministries and agencies concerned are discussing concrete measures to be taken to solve urgent issues of fixed cultivation, resettlement, expansion of production, goods distribution and circulation, and extension of the network of medical care stations and cultural and educational establishments.

Authorities in charge of ethnic affairs

22. According to article 94 of the Constitution and article 20 of the Law on the Organization of the National Assembly, the Council of Nationalities, which is elected by the National Assembly, is the supreme body responsible for ethnic affairs. The Council of Nationalities makes reports of studies and recommendations on ethnic affairs to the National Assembly and exercises the right of supervision on the implementation of ethnic policies and socio-economic development programmes for the mountainous and ethnic minority regions.

23. The Government is required to consult the opinion of the Council of Nationalities before issuing decisions on ethnic policies. The Chairman of the Council of Nationalities is entitled to attend sessions of the standing committee of the National Assembly and those of the Government to discuss the implementation of ethnic policies.

24. Beside the Council of Nationalities, the Committee for Mountainous Region and Ethnic Minority Affairs also takes charge of ethnic affairs. It is a government agency having the status of a ministry and is responsible for formulating, directing and implementing policies concerning nationalities.

Article 3

25. Viet Nam is a party to the International Convention on the Prevention and Punishment of the Crime of Apartheid. It condemns apartheid and all forms of racial discrimination including xenophobia wherever it takes place. Viet Nam consistently supports the United Nations resolutions condemning apartheid and other forms of racial discrimination. It welcomes the progress that has been made in South Africa regarding the abolition of apartheid-based laws. Viet Nam has no diplomatic relations with South Africa.

26. Article 14 of the Constitution provides that Viet Nam will pursue a policy of peace and friendship stand for expansion of international relations and cooperation with all countries in the world, irrespective of their political and social systems, on the basis of respect for each other's independence, sovereignty and territorial integrity, non-interference in each other's internal affairs, equality and mutual benefit, and for the strengthening of friendship, solidarity and cooperation with socialist and neighbouring countries; it will actively support and contribute to the common struggle of the peoples of the world for peace, national independence, democracy and social progress.

Article 4

Policies and legislation regarding acts of racial discrimination

27. Article 81 of the Criminal Code of Viet Nam stipulates that those who commit the following acts shall be punished with from 5 to 15 years' imprisonment: to cause ethnic hatred, humiliation and ethnic division; to violate the right of equality between the ethnic communities of Viet Nam; to sow discord between religious followers and non-religious believers, between religious followers and the local authorities and social organizations; to undermine the policy of international solidarity.

Viet Nam's policy concerning the issues of re-education and refugees

28. Since the liberation of south Viet Nam in 1975, Viet Nam has been carrying out a humanitarian policy of national concord and reconciliation regarding the army officers and personnel of the former Saigon regime who had collaborated with the United States Army during the Viet Nam war. There has been no blood bath, revenge and execution in Viet Nam. Within a very short period of time after 1975, most of the listed people were freed and their citizenship restored. Only a few who had committed barbarous crimes were kept in re-education centres. This policy is aimed at avoiding spontaneous retaliation or severe sentences that might be applied against them, like what happened in some countries after the Second World War. By the end of April 1992, those who were subject to re-education were freed and all re-education centres closed down. People returning from re-education centres do not face prejudice; on the contrary, they are given favourable conditions to contribute their resources and energy to national construction and allowed to emigrate to any country.

29. The Vietnamese refugee issue is rooted in deep historical and complicated causes closely linked to the consequences of the Viet Nam war. It is Viet Nam's policy, on the one hand, to forbid illegal departures and, on the other, to allow its citizens to emigrate to any other country in accordance with existing laws. Viet Nam is also ready to receive repatriated Vietnamese, to create favourable resettlement conditions for those who illegally left the country but have now voluntarily returned, or do not object to repatriation in security and respect for human dignity with the assistance of the international community. The returnees, despite their illegal departures, are subject to neither punishment nor discrimination, and are given chances to reintegrate themselves into the society. Viet Nam has always extended cooperation to the countries concerned and international organizations in general and with the United Nations High Commissioner for Refugees, in particular in the search for a humanitarian solution to the issue.

Article 5

The right to equality before the law and organs administering justice

30. Article 52 of the Constitution provides that "every citizen is equal before the law". Article 8 of the Law on the Organization of People's Courts (6 October 1992) further states that "Courts proceed on the principle of citizens' equality before the law without making any distinction as to ethnic origin, sex, conviction and belief, religion and social status".

31. In order to assure the right to equality before the courts, the Code of Criminal Procedure stipulates in article 20 that the inspector, defendant, defence lawyer, victim, civil plaintiff, civil defendant and people with legal rights and interests or their legal representatives in a case are equal in giving evidences, making requests or speaking in debate before courts.

32. Regarding trials in courts, article 7 of the Law on the Organization of People's Courts stipulates that court trials take place in public except for special cases which require secret trials in order to ensure that State secrets or national traditions are kept.

33. Article 5 of the Law on the Organization of People's Courts provides that in the process of a trial, the judge and the jury are independent and only observe the laws.

34. Article 133 of the Constitution and article 21 of the Law on the Code of Criminal Procedure protect the right by Vietnamese citizens of any ethnic origin to use their own mother tongue and script before courts and that the courts are obliged to nominate an interpreter to serve the defendant if needed.

The right to freedom and physical inviolability

35. Article 71 of the Constitution stipulates that Vietnamese citizens enjoy the right to physical inviolability and legal protection of their life, health, honour and dignity. Unless there is a warrant by the People's Courts or a warrant by the people's procurate, no one is subject to arrest except if

he or she is caught in red-handed violation of the laws. The arrest and detention of people must be conducted in accordance with laws. All forms of coercion, humiliation or violation of citizens' honour and human dignity are strictly prohibited.

36. Article 78 of the Penal Code provides for 5 to 15 years of imprisonment for violations of the right to physical freedom and health and 2 to 7 years of imprisonment for threats to violate life or other acts endangering the individual's spiritual life.

The right to vote in election, to stand for election and to participate in State management

37. Article 53 of the Constitution stipulates that "citizens enjoy the right to take part in State and social management, to participate in discussions on national and local issues, to petition to State organs and to vote at referendums held by the State".

38. Under article 54 of the Constitution and article 2 of the 1992 Law on Election of National Assembly Deputies, all Vietnamese citizens regardless of their ethnic origin, sex, social status, religion, education, profession and duration of settlement have the right to vote in elections from the age of 18 years old and have the right to stand for election to the National Assembly and the People's Councils at all levels in accordance with existing laws from the age of 21.

39. Article 7 of the Constitution stipulates that election of National Assembly Deputies and People's Counsellors at all levels are conducted in accordance with the principles of universal suffrage, equality, and direct and secret ballot.

40. The State always pays attention to ensure the realization of the rights of ethnic minorities to participate in leading organs of the political system at all levels, and to discuss and make decisions on socio-economic issues concerning their interests. Before holding discussions or reaching decisions on issues related to the interests and life of any ethnic minority group, the organs of power have to make sure that the group has a chance to express its view-point and wishes concerning the issue. Opinions expressed by the representatives of any ethnic minority group at the National Assembly or at the People's Councils at all levels have been respected.

41. Regarding the number of ethnic minority deputies in the National Assembly, article 9 of the Law on Election of National Assembly Deputies stipulates that the number of ethnic minority deputies in each National Assembly legislature is decided by the Standing Committee of the National Assembly on the basis of ensuring an appropriate number of ethnic minority deputies.

42. On 8 May 1992, the State Council decided that the Ninth Legislature of the National Assembly would comprise 395 deputies among whom 62 are from minority groups. The ratio in the Eighth Legislature was 72 out of 490. The Chairman of the present National Assembly (Ninth Legislature) is of ethnic minority origin (the Tay).

Citizens' right to freedom of movement and residence within their country, and the rights to leave and to return to their own country

43. Article 68 of the Constitution provides that citizens enjoy the rights to freedom of movement and residence within their own country and the right to leave and return to their own country in accordance with laws. Viet Nam has promulgated decisions and directives allowing its citizens to leave and to come back to their own country which, inter alia, include the following:

(a) Decision No. 48-CT of 26 February 1988 by the Chairman of the Council of Ministers allowing Vietnamese citizens to obtain exit visas valid for a limited period to attend to personal businesses (such as visits to relatives, i.e. husband or wife, daughters and sons, brothers and sisters, mother and father; medical treatment; receiving inheritance property; marriage with foreigners; studies or tourism etc.);

(b) Directive No. 04/TTLB of 2 June 1988 issued jointly by the Ministry of the Interior and the Ministry of Foreign Affairs allowing Vietnamese to emigrate for family reunion and other humanitarian purposes;

(c) Regulation No. 001/QD-BNV of 17 June 1988 by the Ministry of the Interior on the procedures to apply for exit visas to resettle abroad.

The right to nationality

44. Article 1 of the Law on Nationality states that all members of the ethnic communities are entitled to Vietnamese nationality. Article 3 of this law provides that the Socialist Republic of Viet Nam recognizes that a Vietnamese has only one nationality, that is Vietnamese, and article 9 states that Vietnamese with legitimate reasons can relinquish their Vietnamese nationality.

45. Decision No. 37-HDBT of 5 February 1990 issued by the Council of Ministers regulates in detail the implementation of the Law on Nationality such as procedures to apply for, to relinquish or to return to Vietnamese nationality.

The right to set up a family and to choose one's spouse

46. Article 10 of the Law on Marriage and the Family (1986) stipulates that the State guarantees the principle of free consent and progressive orientation in marriages, monogamy, and equality between husband and wife and that marriages between Vietnamese citizens of different ethnic origins and religions and between religious believers and non-believers are respected and protected by laws.

Right of ownership and inheritance

47. Article 58 of the Constitution provides that the citizen has the right to ownership of lawful income, savings, housing, personal belongings, means of production, funds and other possessions in enterprises or other economic establishments. The State protects the citizen's right to lawful ownership and inheritance.

Right to freedom of expression

48. Article 69 of the Constitution provides that the citizen has the right to freedom of expression, of the press, and to information.

Right to freedom of belief and religion

49. Article 70 of the Constitution provides that the citizen has the right to freedom of belief and religion, of either practising a religion or not. All religions are equal before the law. The places of worship of all beliefs and religions are protected by law. No one may violate the freedom of belief and religion or abuse beliefs and religions for acts in contravention of State laws and policies.

50. The Penal Code (1985) provides in article 124: "Shall be subjected to punishment in the form of a reprimand, a non-detention re-education penalty up to one year or an imprisonment sentence from three months to one year, any person who commits an act of obstructing the exercise by the citizen of the right to freedom of beliefs and of following or not a religion or who abuses these freedoms and other democratic freedoms for acts in violation of the interests of the State, social organizations or citizens".

Right to work

51. Article 55 of the Constitution provides that working is both the right and duty of the citizen and that the State and society shall take measures to generate ever more employment opportunities for the working people.

52. Everyone has the freedom of vocational training and practice of selecting an occupation and a workplace. The citizen has the right to freedom of enterprise as stipulated by law (art. 57 of the Constitution).

Right to equal and favourable working conditions

53. Article 56 of the Constitution provides: "The State shall institute policies and regimes of labour protection. The State shall provide for the work time and regimes of salary, rest and social insurance for State employees and wage-earners. The State encourages the development of various forms of social insurance".

54. The State applies the principle of equal pay for equal work regardless of sex, age, and ethnic origin. Article 63 of the Constitution provides that men and women receive equal pay for equal work.

55. Heavy or hazardous work shall be paid at a higher rate or with a hazard allowance besides salary.

56. At the moment, a labour code is being drafted for approval by the National Assembly.

Organizations in charge of labour affairs

57. The Ministry of Labour, War Invalids and Social Welfare in coordination with the Viet Nam Federation of Trade Unions in responsible for formulating policies on labour affairs, labour remuneration, social insurance and social welfare, management of the work force and initiating measures to create employment opportunities so as to meet the demands for the planned development of the national economy.

Measures against arbitrary dismissals

58. Decision No. 217/HDBT on labour, wages and social welfare (arts. 48 and 49) provides for dismissal and cancellation of the employment contract in cases where the employees violate State regulations or contracts. This decision, however does not apply to those who are hospitalized or being treated in sanatorium and to those who are pregnant or on post-natal leave. It is stipulated by the State that the interests of the employees being dismissed shall be ensured whenever there is a decision on dismissal or termination of a labour contract. Arbitrary dismissal is forbidden except in cases provided for by law.

59. Article 123 of the Criminal Code provides that those who, for self-interest or for other personal reasons, illegally dismiss employees shall be subjected to punishment in the form of a reprimand or a non-detention re-education penalty for up to one year or be imprisoned from three months to one year.

Right to form and join trade unions

60. Article 69 of the Constitution provides that citizens have the right to assemble, form associations and hold demonstrations in accordance with the provisions of law.

61. Article 1 of the Law on Trade Unions (1990) provides that all those who are working in business and production establishments in various economic sectors, enterprises with foreign investments, administrative services, State organs and social organizations have the right to form and join trade unions within the Statute of the Vietnamese Federation of Trade Unions.

Right to housing

62. Article 62 provides that citizens have the right to build dwelling-houses in accordance with legal regulations and State planning. The interests of house owners and tenants are protected by the law.

63. Article 2 of the Ordinance on Housing (1991) provides that the State recognizes and protects the right to own housing by individuals and other owners.

Right to health care

64. Article 61 of the Constitution says that the citizen is entitled to a regime of health protection. The State shall establish a scale of hospitalization fees and prescribe cases of hospitalization fee exemption or reduction. The citizen has the duty to observe all regulations on disease prevention and public hygiene. In addition, the State makes investment in, ensures the development of and exercises unified management over the protection of the people's health. It mobilizes and organizes all social forces for the development of Vietnamese medical science. Health protection is guided by the mottos: prevention combined with treatment; traditional medicine and pharmacology combined with modern medicine and pharmacology; State health services combined with people's health services; health insurance and favourable conditions in health care for all. The State gives health care priority to the highlanders and ethnic minorities (art. 39 of the Constitution).

Law on protection of people's health

65. The law on protection of People's Health provides that everybody when he gets sick or suffers from a disease or an accident will be medically examined and treated at health care centres of the locality where he resides, works or studies (art. 23). It also provides for preferential treatment for the old, war invalids and sick soldiers, the disabled and ethnic minorities (arts. 41 and 42). It strictly forbids irresponsible acts in cases of emergency, and examinations and treatments that harm the health, life, honour or dignity of the patient (art. 26).

66. The Criminal Code provides for punishment for violations of the regulations on treatment, medicine preparation and sale leading to serious consequences (art. 196).

Right to education and training

67. The State considers education and training a national task of paramount importance (art. 35 of the Constitution) and ensures the right to education for all without any discrimination. Article 36 of the Constitution provides that "the State gives priority to the development of education in the highlands, ethnic minority regions and most vulnerable regions".

68. Decision No. 72/HDBT (1990) says in article 29 that the State reserves a priority place for investments for building schools, acquiring school equipment, teachers' training, meeting the demands of educational development for children of ethnic minorities, consolidating and expanding boarding schools, training ethnic minority cadres and intellectuals.

69. The State has established five colleges and universities mainly for ethnic students: the Teacher Training College, the Agro-Forestry University, the Pharmacology University, the Viet Bac University of Technology and Industry and the Tay Nguyen University. The ethnic students in colleges and universities receive scholarships at a rate 1.5 times higher than others; excellent ethnic students receive twice as many (Decree No. 114/HDBT, 1990).

70. The use of languages of the ethnic minorities in education is guaranteed by law.

Right to equal participation in cultural activities

71. Article 60 of the Constitution provides that "the citizen has the right to engage in literary and artistic creation and criticism and to participate in other cultural activities and the State protects the copyright".

Article 6

Right to complaint and denunciation

72. As provided for in article 74 of the Constitution and article 1 of the Ordinance on Complaint and Denunciation (1991), every citizen has the right to lodge a complaint or a denunciation with the competent authority against any unlawful acts of State organs, economic and social organizations, units of the people's armed forces, or of any individuals. Article 74 of the Constitution further provides that complaints and denunciations must be considered and settled by State authorities within the time-frames laid down by law.

73. Article 24 of the Code of Criminal procedure provides that "the citizen has the right to complain against and denounce unlawful acts of investigative organs, procurates, courts, or of any individuals thereof". This article also provides that the body that has committed unjust acts must restore the dignity and interests of and make compensation to the injured persons. Any individual who commits unlawful acts shall be subjected, depending on the cases, to disciplinary punishment or criminal prosecution.

74. Citizens can lodge complaints and denunciations against erroneous or unlawful acts committed at the expense not only of themselves but also of the collective and social interests of individuals and organizations. Thanks to citizens' complaints and denunciations, serious offences including large-scale corruption cases have been brought to light.

Article 7

Education, culture, information, and promotion of understanding and friendship among the nationalities and ethnic communities

75. Article 5 of the Constitution provides that the State shall carry out a policy of equality, solidarity and mutual assistance among ethnic communities and forbid all acts of ethnic discrimination and division. This provision has been embodied in the State's policies in the fields of education, culture and information which help to combat ethnic prejudices and prevent racial discrimination and promote mutual understanding and friendship among all nationalities and among ethnic minorities.

76. The State places great importance on promoting the work of information media, the press, radio, television, cinema and other means of mass communication. The State at the same time strictly prohibits all activities

in the fields of culture and information that are detrimental to national interests and destructive of the personality, morals, and the way of life of the Vietnamese (art. 33 of the Constitution).

77. The mass media have sensitively adopted programmes against prejudices that may lead to racial discrimination and for the promotion of mutual understanding and friendship among nationalities and among ethnic minorities.

78. The State pays great attention to the enhancement and modernization of mass communications, improving its quality and making its contents suitable to the various targeted groups and communities and expanding it to the remote areas. The number of programmes broadcast in the languages of the ethnic minorities has been increased and the quality of the programmes on the Central T.V. has been improved to be suitable to the needs and traditions of the minorities. News bulletins for the mountainous regions and ethnic minorities have now been issued by the Viet Nam News Agency. The Voice of Viet Nam Radio has increased the number of broadcasts in the languages of the minorities.

79. Through the mass media, Viet Nam has on the other hand disseminated the laws of Viet Nam, the objectives and principles of the Charter of the United Nations, the International Convention on the Elimination of All Forms of Racial Discrimination and other international conventions relating to human rights that Viet Nam has acceded to.

80. The State has increased the budget for the restoration and promotion of traditional activities of the minorities, and the development of non-professional artistic troupes and mobile film units. The Ministry of Culture and Information has in cooperation with the mountainous provinces and districts organized the collection and publication of folk-tales and the protection of historical relics.

81. The Association of Cultural Workers of the Ethnic Minorities was established on 12 March 1992, under the sponsorship of the Ministry of Culture and Information. The objective of the Association is to preserve and promote the cultural values of the ethnic minorities, thus enriching Vietnamese culture.